

Box No. VIII (ii) DECLARATION: ENTITLEMENT TO APPLY FOR AND BE GRANTED A PATENT

The declaration must conform to the standardized wording provided for in Section 212; see Notes to Boxes Nos. VIII, VIII (i) to (v) (in general) and the specific Notes to Box No. VIII (ii). If this Box is not used, this sheet should not be included in the request.

Declaration as to the applicant's entitlement, as at the international filing date, to apply for and be granted a patent (Rules 4.17(ii) and 51bis.1(a)(ii)), in a case where the declaration under Rule 4.17(iv) is not appropriate:

In relation to PCT/EP2004/012415 Neovista, Inc. is entitled to apply for and be granted a patent by virtue of the following:

(ii) AEA Technology QSA GmbH, Gieselweg 1, 38110 Braunschweig, Germany, was entitled as employer of the inventor FRITZ, E. and BEHRMANN, S.

(iv) an assignment from AEA Technology QSA GmbH, Gieselweg 1, 38110 Braunschweig, Germany to Neovista Inc., 2750 Premier Parkway, Suite 200, Duluth, Georgia 30097, USA dated September 30, 2004.

(ix) This declaration is made for the purpose of all designations except the designation of the United States of America.

This declaration is continued on the following sheet, "Continuation of Box No. VIII (ii)".